

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
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DATE FILED: 05/01/15

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SECURITIES AND EXCHANGE COMMISSION, :

Plaintiff, :

- against - :

STEVEN BYERS et al., :

Defendants. :

ORDER

08 Civ. 7104 (DC)

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CHIN, Circuit Judge:

By letter dated April 1, 2015, the Receiver proposes to conduct a review of document indices regarding case documents that have been stored at an offsite facility and seeks authorization to "destroy materials that do not involve ongoing receivership activities or fall outside of any applicable recordkeeping or reporting requirements." Three objections were received, from Richard and Lorraine B. Puleo, Mark D. Johnson, and John O'Sullivan.

The request is DENIED in part and GRANTED in part. The Receiver may review the document indices, but he is not permitted to destroy any materials. The Receiver is directed to submit a report to the Court regarding his findings, noting specifically what documents he wishes to destroy. The Receiver is also directed to consider and report on alternative ways to preserve the files, including the possibility of scanning any documents that might otherwise be destroyed. Following the Receiver's report, this Court will determine whether and to what extent any documents may be destroyed.

SO ORDERED.

Dated: New York, New York
May 1, 2015


DENNY CHIN
United States Circuit Judge
Sitting by Designation